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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/701,271
	Filing Date	November 27, 2000
	First Named Inventor	Ruelle
	Group Art Unit	
	Examiner Name	Burt, Charitta A
Total Number of Pages in This Submission		Attorney Docket Number BM45323

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Acknowledgment Postcard CRF Sequence Listing Diskette Paper Copy of Sequence Listing Notification of Defective Response		
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

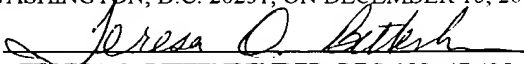
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Teresa O. Bittenbender, Reg. #47,425
Signature	<i>Teresa O. Bittenbender</i>
Date	<i>Dec 16, 2002</i>

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: December 16, 2002			
Typed or printed name	Teresa O. Bittenbender		
Signature	<i>Teresa O. Bittenbender</i>	Date	<i>December 16, 2002</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE IN AN ENVELOPE AS "EXPRESS MAIL POST OFFICE TO ADDRESSEE" MAILING LABEL NUMBER EV134769016US ADDRESSED TO: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON DECEMBER 16, 2002


TERESA O. BITTENBENDER, REG. NO. 47,425

ATTORNEY FOR APPLICANT


DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ruelle	:	International Application No.: PCT/EP99/03603
Filing Date: November 27, 2000	:	I.A. Filing Date: 26 May 1999
Serial No.: 09/701,271	:	Priority Dates: 26 May 1998

For: Neisseria Meningitidis Antigenic Polypeptides, Corresponding Polynucleotides and Protective Antibodies

Box PCT
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

This is in reply to the communication mailed 22 November 2002 from the Patent Office, entitled "Notification of Defective Response." A copy of the Notice is enclosed.

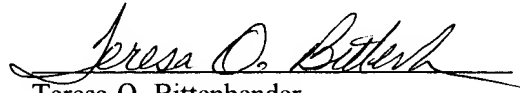
The Notification stated that the computer readable diskette containing the sequence listing for the above referenced application was damaged, and a new diskette was required.

Submitted herewith is an duplicate copy of the Sequence Listing in computer readable form in accordance with the requirements of 37 CFR §§ 1.821-1.825. Applicants also submit a paper copy of the Sequence Listing on the enclosed diskette.

Docket No. BM45323
Serial No. 09/701,271

Applicant hereby states that the enclosed CRF diskette submitted herewith is identical to the paper copy of the "Sequence Listing" contained in the copy of International Publication No. WO 99/61620 which was previously submitted for filing with the US Patent Office and contains no new matter.

Respectfully submitted,



Teresa O. Bittenbender
Registration No. 47,425
Attorney for Applicant

December 16, 2002

DECHERT
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103-2793
Fax: (609) 620-3259
Attn: Teresa O. Bittenbender
(215) 994-2213



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PGI
 United States Patent and Trademark Office
 Washington, D.C. 20237
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701,271	Jean Louis Ruelle	BM45323

INTERNATIONAL APPLICATION NO.	
PCT/EP99/03603	
I.A. FILING DATE	PRIORITY DATE
05/26/1999	05/26/1998

Arthur E Jackson
 Dechert
 4000 Bell Atlantic Tower
 1717 Arch Street
 Philadelphia, PA 19103-2793

CONFIRMATION NO. 8726

371 FORMALITIES LETTER



OC00000009146471

Date Mailed: 11/22/2002

Reply Due 12/22/02

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED
 DEC 3 2002

Applicant's response filed 03/11/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/30/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

DOCKETED
 12/11/02

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

◦ For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/701,271	PCT/EP99/03603	BM45323